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Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the 1995 resolution on the Middle East

Working paper submitted by Iraq on behalf of the States members of the League of Arab States

I. Background and developments

1. The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted an action plan for the implementation of the 1995 resolution on the Middle East through a mechanism that included three main approaches:

(a) The Secretary-General of the United Nations and the three co-sponsors of the 1995 resolution, in consultation with the States of the region, would convene a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction (the postponed 2012 conference);

(b) That conference would be the first step in a process leading to full implementation of the 1995 resolution on the Middle East;

(c) A facilitator would be appointed in order to prepare the conference, and a host Government would be designated.

2. The Arab States viewed that mandate arising from the 2010 Review Conference as a positive development, the first since the 1995 resolution.

3. However, immediately following the 2010 document on the Middle East, it became clear that some of the organizing parties were reluctant to honour their obligations; they made negative statements that were inconsistent with the responsibilities that they had accepted. The Arab States wish to highlight a number of negative developments that eventually led to the present unacceptable situation:

(a) It took over 16 months to select the facilitator and the host Government. That time was wasted without justification or benefit, whereas the choice could have been made within the first month.

(b) Since the 2010 document was adopted, some of the organizers began to repeat that Israel had not participated in negotiating the document and was not a

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party to the Treaty; that it was therefore not a concerned party and had no obligation under the agreements; and that the Arab States should make concessions in order to persuade Israel to participate.

The Arab States are surprised at that negative stance of some of the organizers. It is as though they had suddenly discovered, after the document was adopted, that Israel was not a party to the Treaty and that that situation impeded the fulfilment of their obligations. If that was the case, why did the parties accept responsibility for implementing those steps? Indeed, why did they present the 1995 resolution on the Middle East as the cornerstone for the deal to extend the Treaty indefinitely?

(c) Some of the organizers focused on the need to add new elements and topics to the agenda of the conference, thereby removing it from the agreed context and contravening the clear mandate and terms of reference adopted by the 2010 Conference. That would open the door to renegotiating all previous agreements, all on the pretext that Israel was not a party to the original Treaty.

(d) The Arab States were surprised at the organizers' announcement that the conference would be postponed, an announcement made without consulting them or setting an alternative date. The Arab States were also puzzled by the conflicting statements made by each organizer.

(e) Since the end of the second session of the Preparatory Committee, the facilitator and the organizers have convened consultative meetings with the relevant regional actors in order to prepare for the conference. The Arab States deplored the delay. The consultative meetings (Glion, Glion 2 and Glion 3) took place in unclear circumstances: they lacked a specific agenda and were held outside the United Nations framework. Nevertheless, the Arab States decided to participate constructively in order to prevent any party from holding them responsible for the failure of the talks at any stage.

(f) After the conclusion of the three Glion meetings on 4 and 5 February 2014, the facilitator announced that two preparatory meetings would be held in Geneva before the third session of the Preparatory Committee for the 2015 Review Conference. The Arab States were puzzled by the facilitator's announcement that the meetings would be postponed until after the third session of the Preparatory Committee, with the pretext that too many other meetings and conferences on disarmament and security were scheduled in March and April. That would imply that the mission of the facilitator and the organizers was merely to organize an international meeting among numerous others, that this particular meeting was not a priority for them, and that their primary mission did not take precedence over any other engagements or meetings.

(g) Despite the delay in convening the postponed 2012 conference, the Arab States took the initiative of writing letters to the Secretary-General of the United Nations endorsing the declaration of the Middle East as a zone free of nuclear weapons and other weapons of mass destruction. Iran followed suit, meaning that Israel, alone in the Middle East region, has not sent such a letter. The Secretary-General of the United Nations informed the General Assembly of this matter in a letter dated 6 March 2014.

II. The Arab position

4. In the context of the foregoing, the Arab States wish to make the following points clear for the last time before the 2015 Review Conference:

- In the last three years, the Arab States have made a number of concessions and contributed positively to attempts to ensure the success of preparations to convene the postponed 2012 conference. For this reason, under no circumstances will the Arab States be held responsible for the failure of others. Nor will they accept any assertion that the failure was caused by the inability of the States of the region to arrive at an understanding or to compromise.
- The Arab States will continue to cooperate with the facilitator and the organizing parties in the period leading up to the 2015 Review Conference, which the Arab States consider to be a crossroads in the process, so long as the preparatory process remains within the context of the mandate and terms of reference adopted by the 2010 Review Conference.
- If the postponed 2012 conference is not convened and serious negotiations on the implementation of the resolution on the Middle East have not begun before the 2015 Review Conference, the Arab States will take the necessary measures to protect their interests.

III. Recommendations

5. The Arab States therefore call upon the third session of Preparatory Committee and the States Parties to the Treaty to affirm the following points:

(a) That the delay in the preparations to convene the postponed 2012 conference is deplorable;

(b) That convening the postponed 2012 conference is no longer a regional demand, but rather has become an international responsibility, and that the decision to convene the conference was arrived at by consensus at the 2010 Review Conference;

(c) That the organizers are obligated to abide by the mandate and terms of reference stipulated in the action plan adopted at the 2010 Review Conference, and that no issues extraneous to negotiations on the establishment of a zone free of nuclear weapons and weapons of mass destruction in the Middle East are to be introduced;

(d) That the postponed 2012 conference must be convened as soon as possible, so that the implementation of its outcomes can be reviewed and a comprehensive report can be submitted 2015 NPT Review Conference;

(e) That implementation of the agreements reached in 2010 regarding the Middle East is one of the essential keys to the success of the 2015 Review Conference.